

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

THOMAS FRANCIS YOUNG, and  
CONNIE ANGELINA YOUNG,

Appellants,

v.

Civ. No. 23-534 MV/GJF

YVETTE J. GONZALES, BK ENTERPRISES,  
ALEX NETTY, DEUTSCHE BANK,  
RICHARD FISKE, NAOMI FISKE,

Appellees.

**ORDER TO SHOW CAUSE**

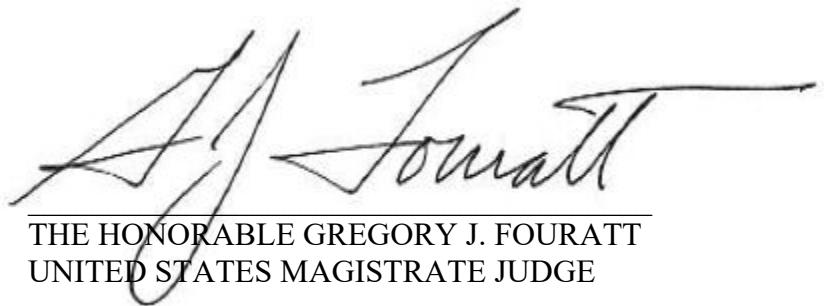
THIS MATTER is before the Court on the Bankruptcy Clerk's Notice of Inability to Transmit Record on Appeal, filed July 17, 2023. ECF 6. Appellants Thomas Young and Connie Young filed this bankruptcy appeal on June 22, 2023. ECF 1. Pursuant to Fed. R. Bankr. P. 8009, appellants must file a designation of the items to be included in the record and a statement of the issues to be presented within 14 days after the notice of appeal becomes effective. Fed. R. Bankr. P. 8009(a)(1)(A)-(B) ("The appellant must file with the bankruptcy clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented.").

On June 27, 2023, Appellants filed documents entitled "Designation of Items to be Included in the Record on Appeal" and "The designation of Record and statements" with the Bankruptcy Clerk. ECFs 2–3. However, the Notice of Inability to Transmit Record on Appeal indicates that, upon reviewing Appellants' purported Designation of Record, "the Bankruptcy Clerk was unable to identify the designated items listed in Appellants' Designation." ECF 6 at 1. Accordingly, "[t]he Bankruptcy Clerk issued a Notice of Error that instructed the Appellants to

file an amended Designation and identify the designated documents by Document Name, Document Number, and File Date.” *Id.*; *see also* ECF 6, Ex. B. The Bankruptcy Clerk further advised that, as of July 17, 2023, “Appellants ha[d] failed to file an amended Designation of Record,” and the Bankruptcy Clerk was therefore “unable to assemble and transmit the Record on Appeal to the U.S. District Court.” ECF 6 at 1.

IT IS THEREFORE ORDERED that **by January 26, 2024**, Appellants shall submit the designation of items to be included in the record on appeal and statement of the issues as required by Fed. R. Bankr. P. 8009, or provide the Court with a written explanation showing good cause why they have failed to do so. Failure to respond to this Order may result in the dismissal of this bankruptcy appeal without further notice.

**SO ORDERED.**



THE HONORABLE GREGORY J. FOURATT  
UNITED STATES MAGISTRATE JUDGE